GOVERNMENT OF INDIA
STATISTICS AND PROGRAMME IMPLEMENTATION
LOK SABHA

UNSTARRED QUESTION NO:2087
ANSWERED ON:05.03.2003
SUPERVISION OF CBI BY CVC
SHRINIWAS DADASAHEB PATIL

Will the Minister of STATISTICS AND PROGRAMME IMPLEMENTATION be pleased to state:

(a) whether the Central Vigilance Commissioner has been entrusted with the work of supervising CBI;

(b) if so, the details thereof;

(c) whether the Union Government have approved a two year tenure for CBI Director;

(d) if so, the reasons therefor;

(e) whether the Government have created a post of Director Prosecution in CBI;

(f) if so, the details thereof; and

(g) the reasons therefor?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION, MINISTRY OF PLA
DEPARTMENT OF SPACE AND DEPARTMENT OF ATOMIC ENERGY (SHRI S.B. MOOKHERJEE)

(a) and (b) Superintendence of the Delhi Special Police Establishment currently vests in the Central Government under section 4 of the Delhi Special Police Establishment Act, 1946. The Central Vigilance Commission Bill, now under the consideration of the Parliament for its passage, envisages transfer of this responsibility to the Central Vigilance Commission.

(c) and (d) Taking into consideration the recommendations made by the Independent Review Committee on 18th November 1997, set up by the Central Government on 8th September 1997, to examine the present structure and functioning of the Central Bureau of Investigation and the Enforcement Directorage, and later in keeping with the directions of the Supreme Court in Vineet Narain`s case given on 18th December 1997, the minimum tenure of the Director CBI, regardless of the date of his superannuation, has been fixed at 2 years. The Independent Review Committee had, in making the recommendation observed, that the tenure of recent incumbents to the post of Director CBI had been of about 2 years or less, before superannuation at the age of 58 years. Therefore, it considered appropriate that to ensure that an officer suitable in all respects is not ignored, merely because he has less than 2 years to superannuate, a munimum tenure of 2 years should be provided to Director, CBI.

(e) to (g) Since its inception in April 1963, the Legal Division of Central Bureau of Investigation has remained under the charge of an officer borne on the strength of the Ministry of Law. While continuing this arrangement and in pursuance of the directions of the Supreme Court in Vineet Narain`s case, emanating from the recommendations of the Independent Review Committee, a Directorate of Prosecution has been set up in the Central Bureau of Investigation in January, 2001 by remaining the Legal Division. The Director of Prosecution has been appointed on 30th October, 2002 for a period of 3 years and the task of supervising prosecutions launched by the CBI has been entrusted to the Directorate.